

TWENTY-THIRD DAY

(Continued)

(Tuesday, February 12, 1935)

The House met at 10 o'clock a. m., and was called to order by Speaker Stevenson.

HOUSE BILL NO. 201 ON SECOND READING

On motion of Mr. Wood of Harrison, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 201, A bill to be entitled "An Act repealing Article 307 of the Revised Civil Statutes of Texas, 1925; further providing that said Act shall be effective on and after July 1, 1937."

The Speaker laid the bill before the House, and it was read second time.

Mr. Wells offered the following amendment to the bill:

Amend House Bill No. 201 by adding a new section, to be known as Section 3:

"Section 3. This Act shall not apply to graduates of the law schools of the University of Texas, Baylor University, Southern Methodist University, and St. Mary's University of San Antonio."

WELLS,
BUTLER of Brazos.

Mr. Morrison raised a point of order on further consideration of the amendment by Mr. Wells at this time, on the ground that same violates certain constitutional provisions in that it seeks to enact class legislation.

The Speaker sustained the point of order.

Question recurring on the engrossment of the bill, yeas and nays were demanded.

House Bill No. 201 was then passed to engrossment by the following vote:

Yeas—91

Adamson	Burton
Aikin	Butler of Karnes
Alexander	Cagle
Alsup	Caldwell
Atchison	Canon
Beck	Clayton
Bourne	Collins
Bradbury	Colquitt
Broyles	Cooper

Craddock	Lange
Crossley	Lanning
Daniel	Latham
Davis	Leath
Davison of Fisher	Lindsey
Davisson	Lucas
of Eastland	McFarland
Dickison	McKee
Dunlap of Hays	McKinney
Dunlap of Kleberg	Moffett
Duvall	Newton
Fain	Olsen
Fisher	Padgett
Fitzwater	Payne
Fox	Petsch
Frazer	Quinn
Good	Reader
Gray	Reed of Bowie
Hankamer	Reed of Dallas
Harris of Archer	Riddle
Harris of Dallas	Roach of Angelina
Hartzog	Roach of Hunt
Herzik	Roane
Hodges	Russell
Hofheinz	Rutta
Holland	Settle
Hoskins	Shofner
Howard	Smith
Hunt	Spears
Hunter	Steward
Jackson	Stinson
James	Thornton
Jones of Atascosa	Waggoner
Jones of Wise	Walker
Keefe	Westfall
King	Wood of Harrison
Knetsch	Wood of Montague

Nays—38

Ash	Lotief
Bergman	Luker
Bradford	Morrison
Butler of Brazos	Morse
Celaya	Nicholson
Colson	Palmer
Cowley	Patterson
Dunagan	Pope
Dwyer	Roark
England	Roberts
Farmer	Stanfield
Ford	Stovall
Fuchs	Tarwater
Glass	Tennyson
Hardin	Tillery
Head	Wells
Huddleston	Worley
Hyder	Young
Jones of Runnels	Youngblood

Absent

Adkins	Jones of Shelby
Gibson	Leonard
Graves	Morris
Greathouse	Rogers
Jefferson	Scarborough
Jones of Falls	Venable

Absent—Excused

Calvert	McCalla
Hill	McConnell
Lemens	Moore
Mauritz	

MESSAGE FROM THE GOVERNOR

Mr. Edward Clark, secretary to the Governor, appeared at the bar of the House, and, being duly announced, presented the following message from the Governor, which was read to the House, as follows:

Executive Office,
Austin, Texas, February 12, 1935.

To the Members of the Forty-fourth Legislature:

I am in receipt of the following telegram from Hon. J. P. Buchanan, chairman of the Appropriation Committee of the House of Representatives, Washington, D. C., which I submit to you for such action as you deem proper:

"The State Park System of Texas has been greatly enlarged in number of parks and area in co-operation with the Federal Government through its Civilian Conservation Corps. This National Administration contemplates a further enlarged program in parks and conservation corps. As a prerequisite to allotments and camp locations the Federal Government requires reasonable assurance that parks thus improved will be properly cared for by the State through annual maintenance appropriations. It is expected that the number of camps or personnel thereof for the next year will be practically doubled and provided for out of the four billion dollar appropriation now pending in the Senate. If Texas is to receive its fair allotment the present Legislature must provide approximately sixty thousand dollars for the necessary set-up of central office and field forces to administer Federal allotments in an efficient manner and maintenance of parks. The next period for camp locations in conservation work starts on April first. Therefore, if the present Legislature does not make the necessary appropriation the Texas delegation in Congress cannot successfully contend in striving for C. C. Camps that Texas will properly develop and maintain its park system; on the other hand, if the necessary appropriation is made as soon as possible we will procure

our proportionate share for park development as well as erosion prevention.

"J. P. BUCHANAN, M. C."

Respectfully submitted,
JAMES V. ALLRED,
Governor of Texas.

HOUSE BILL NO. 232 ON SECOND READING

On motion of Mr. Holland, by unanimous consent of the House, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 232, A bill to be entitled "An Act regulating petitions in suits for divorce, to require such petitions to state whether there are children under sixteen years of age, and if so, to give full information as to such minors, making it the duty of the courts having jurisdiction of such suits to inquire into the status of such children, if divorce be granted; empowering such courts to make orders and decrees for their support and maintenance until they reach sixteen years of age; to determine and fix the amounts to be paid, the times of payment, to whom to be made, to have authority to enforce all decrees by contempt proceedings, and to have control of such decrees, to alter them when justice requires, to ascertain the ability to pay, to enforce the duty of the parents to support their children under sixteen years of age, after divorce, presenting the procedure, and declaring an emergency."

The Speaker laid the bill before the House, and it was read second time.

Mr. Holland offered the following committee amendment to the bill:

Amend House Bill No. 232 by adding a new section at the end of Section 1, to be known as Section 1a, to read as follows:

"Section 1a. The person or persons to whom the payments above provided for are made under the judgment of the court shall file sworn monthly reports with the clerk of the court before which the cause is pending setting out an itemized statement of the expenditure of such sum, or sums, of money as may have been received, showing in detail the manner in which such money has been spent. The re-

port so filed shall be examined and approved or disapproved by the judge before which said cause is pending."

HOLLAND,
CALVERT.

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and to the body of the bill.

House Bill No. 232 was then passed to engrossment.

HOUSE BILL NO. 232 ON THIRD READING

Mr. Holland moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 232 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—116

Adamson	Fox
Aikin	Frazer
Alexander	Glass
Alsup	Good
Ash	Hankamer
Beck	Hardin
Bergman	Harris of Archer
Bradbury	Harris of Dallas
Bradford	Hartzog
Broyles	Head
Burton	Herzik
Butler of Brazos	Hodges
Butler of Karnes	Hofheinz
Cagle	Holland
Caldwell	Howard
Canon	Huddleston
Celaya	Hunt
Clayton	Hunter
Collins	Hyder
Colquitt	Jackson
Colson	James
Cooper	Jones of Falls
Craddock	Jones of Runnels
Crossley	Jones of Wise
Daniel	Keefe
Davis	King
Davison of Fisher	Knetsch
Davisson	Lange
of Eastland	Lanning
Dunagan	Latham
Dunlap of Hays	Leath
Dwyer	Lindsey
England	Lotief
Fain	Lucas
Farmer	Luker
Fisher	McFarland
Fitzwater	McKee
Ford	McKinney

Moffett	Rutta
Morris	Settle
Morrison	Shofner
Nicholson	Smith
Olsen	Stanfield
Palmer	Steward
Patterson	Stovall
Payne	Tarwater
Petsch	Tennyson
Quinn	Thornton
Reader	Tillery
Reed of Bowie	Waggoner
Reed of Dallas	Walker
Riddle	Wells
Roach of Angelina	Westfall
Roach of Hunt	Wood of Harrison
Roane	Wood of Montague
Roark	Worley
Roberts	Young
Rogers	Youngblood
Russell	

Nay—1

Stinson

Absent

Adkins	Hoskins
Atchison	Jefferson
Bourne	Jones of Atascosa
Cowley	Jones of Shelby
Dickison	Leonard
Dunlap of Kleberg	Morse
Duvall	Newton
Fuchs	Padgett
Gibson	Pope
Graves	Scarborough
Gray	Spears
Greathouse	Venable

Absent—Excused

Calvert	McCalla
Hill	McConnell
Lemens	Moore
Mauritz	

The Speaker then laid House Bill No. 232 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—118

Adamson	Canon
Aikin	Celaya
Alexander	Clayton
Alsup	Collins
Beck	Colquitt
Bergman	Colson
Bradbury	Cooper
Bradford	Craddock
Broyles	Crossley
Burton	Daniel
Butler of Brazos	Davis
Butler of Karnes	Davison of Fisher
Cagle	Davisson
Caldwell	of Eastland

Dunagan	Lucas
Dunlap of Hays	Luker
Duvall	McFarland
Dwyer	McKee
England	McKinney
Fain	Moffett
Farmer	Morris
Fisher	Morrison
Fitzwater	Nicholson
Ford	Olsen
Fox	Patterson
Frazer	Payne
Fuchs	Quinn
Glass	Reader
Good	Reed of Bowie
Gray	Reed of Dallas
Hankamer	Riddle
Hardin	Roach of Angelina
Harris of Archer	Roach of Hunt
Harris of Dallas	Roane
Hartzog	Roark
Head	Roberts
Herzik	Rogers
Hodges	Russell
Hofheinz	Rutta
Holland	Settle
Hoskins	Shofner
Howard	Smith
Huddleston	Spears
Hunt	Stanfield
Hunter	Steward
Hyder	Stovall
Jackson	Tarwater
James	Tennyson
Jefferson	Thornton
Jones of Falls	Tillery
Jones of Runnels	Waggoner
Jones of Wise	Walker
Keefe	Wells
King	Westfall
Knetsch	Wood of Harrison
Lange	Wood of Montague
Lanning	Worley
Latham	Young
Leath	Youngblood
Lotief	

Nays—4

Bourne	Palmer
Lindsey	Stinson

Present—Not Voting

Venable

Absent

Adkins	Jones of Atascosa
Ash	Jones of Shelby
Atchison	Leonard
Cowley	Morse
Dickison	Newton
Dunlap of Kleberg	Padgett
Gibson	Petsch
Graves	Pope
Greathouse	Scarborough

Absent—Excused

Calvert	McCalla
Hill	McConnell
Lemens	Moore
Mauritz	

ADDRESS BY HON. SARAH T. HUGHES

Mr. Lindsey offered the following resolution:

Whereas, Our honored and respected fellow member, Hon. Sarah T. Hughes, of Dallas, Texas, has been appointed District Judge of the Fourteenth District Court of Texas to succeed Judge W. M. Taylor, and such appointment has been confirmed by the Senate of Texas; and

Whereas, The membership of the House, of this, the Forty-fourth Legislature, regards Mrs. Hughes as a valuable member of the Legislature of Texas, and it is our desire that Mrs. Hughes deliver a farewell address; now, therefore, be it

Resolved by the House of Representatives, That the House set apart the hour of 11:30 o'clock a. m. to hear Mrs. Hughes this 12th day of February, 1935.

LINDSEY,
JONES of Runnels,
CANON.

The resolution was read second time, and was unanimously adopted.

In accordance with the above action, Hon. Sarah T. Hughes, having been presented by the Speaker, addressed the House.

HOUSE BILL NO. 404 ON SECOND READING

On motion of Mr. Cooper, by unanimous consent of the House, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 404, A bill to be entitled "An Act providing that the Supreme Court of the State of Texas shall have original jurisdiction in the matter of issuing the writ of mandamus or any other mandatory or compulsory writ or process to compel the performance by any judge of a district court in this State of any duty imposed upon him or them, respectively, by the Constitution, and the laws of this State, etc., and declaring an emergency."

The Speaker laid the bill before the House; it was read second time, and was passed to engrossment.

HOUSE BILL NO. 404 ON THIRD READING

Mr. Walker moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 404 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—116

Adamson	Hartzog
Aikin	Head
Alexander	Herzik
Alsup	Hodges
Ash	Hofheinz
Atchison	Holland
Beck	Hoskins
Bergman	Howard
Bourne	Huddleston
Bradbury	Hunt
Bradford	Hyder
Broyles	Jackson
Burton	Jefferson
Butler of Brazos	Jones of Atascosa
Butler of Karnes	Jones of Falls
Cagle	Jones of Runnels
Caldwell	Jones of Wise
Canon	Keefe
Celaya	King
Clayton	Knetsch
Collins	Lange
Colquitt	Lanning
Cooper	Latham
Cowley	Leath
Craddock	Lindsey
Crossley	Lotief
Daniel	Lucas
Davis	Luker
Davison of Fisher	McFarland
Davison	McKee
of Eastland	McKinney
Dickison	Moffett
Dunlap of Hays	Morris
Dunlap of Kleberg	Morrison
Duvall	Morse
Dwyer	Newton
England	Padgett
Fain	Palmer
Farmer	Patterson
Fisher	Payne
Fitzwater	Quinn
Fox	Reed of Bowie
Frazer	Reed of Dallas
Fuchs	Roach of Hunt
Glass	Roark
Good	Roberts
Gray	Rogers
Hankamer	Russell
Harris of Archer	Rutta
Harris of Dallas	Settle

Smith	Waggoner
Spears	Walker
Stanfield	Wells
Steward	Westfall
Stinson	Wood of Harrison
Stovall	Worley
Tennyson	Young
Thornton	Youngblood
Tillery	

Present—Not Voting

Hardin

Absent

Adkins	Olsen
Colson	Petsch
Dunagan	Pope
Ford	Reader
Gibson	Riddle
Graves	Roach of Angelina
Greathouse	Roane
Hunter	Scarborough
James	Shofner
Jones of Shelby	Tarwater
Leonard	Venable
Nicholson	Wood of Montague

Absent—Excused

Calvert	McCalla
Hill	McConnell
Lemens	Moore
Mauritz	

The Speaker then laid House Bill No. 404 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—119

Adamson	Daniel
Aikin	Davis
Alexander	Davison
Alsup	of Eastland
Ash	Dickison
Atchison	Dunagan
Beck	Dunlap of Hays
Bergman	Dunlap of Kleberg
Bourne	Duvall
Bradbury	Dwyer
Bradford	England
Broyles	Fain
Burton	Farmer
Butler of Brazos	Fisher
Butler of Karnes	Fitzwater
Cagle	Ford
Caldwell	Fox
Canon	Frazer
Celaya	Fuchs
Clayton	Glass
Collins	Good
Colquitt	Gray
Colson	Hankamer
Cooper	Harris of Archer
Craddock	Harris of Dallas
Crossley	Hartzog

Head	Padgett
Herzik	Palmer
Hodges	Patterson
Holland	Payne
Hoskins	Quinn
Howard	Reader
Huddleston	Reed of Bowie
Hunter	Reed of Dallas
Hyder	Riddle
Jackson	Roach of Hunt
Jefferson	Roane
Jones of Atascosa	Roark
Jones of Falls	Roberts
Jones of Runnels	Rogers
Jones of Wise	Russell
Keefe	Rutta
King	Settle
Knetsch	Shofner
Lange	Smith
Lanning	Stanfield
Latham	Steward
Leath	Stinson
Lindsey	Stovall
Lotief	Tennyson
Lucas	Thornton
Luker	Tillery
McFarland	Waggoner
McKee	Walker
McKinney	Wells
Moffett	Westfall
Morris	Wood of Harrison
Morrison	Worley
Morse	Young
Newton	Youngblood

Present—Not Voting

Hardin	Davison of Fisher
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Absent

Adkins	Nicholson
Cowley	Olsen
Gibson	Petsch
Graves	Pope
Greathouse	Roach of Angelina
Hofheinz	Scarborough
Hunt	Spears
James	Tarwater
Jones of Shelby	Venable
Leonard	Wood of Montague

Absent—Excused

Calvert	McCalla
Hill	McConnell
Lemens	Moore
Mauritz	

HOUSE BILL NO. 416 WITH SENATE AMENDMENTS

Mr. Duvall moved to reconsider the vote by which the House, on yesterday, postponed further consideration of House Bill No. 416, with Senate amendments, until 10:30 o'clock a. m., next Friday.

The motion to reconsider prevailed.

Mr. Alexander, by unanimous consent of the House, withdrew the motion to postpone the bill.

Question—Shall the House concur in the Senate amendments to House Bill No. 416?

Mr. Farmer moved that the House do not concur in the Senate amendments, and that a conference committee be requested to adjust the differences between the two houses on the bill.

Question first recurring on the motion by Mr. Farmer, yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—14

Aikin	Greathouse
Bradbury	Huddleston
Farmer	Morris
Fitzwater	Patterson
Fox	Quinn
Frazer	Roach of Angelina
Gray	Roach of Hunt

Nays—84

Adamson	Hodges
Alexander	Hofheinz
Atchison	Holland
Bourne	Hoskins
Bradford	Howard
Broyles	Hunter
Burton	Hyder
Butler of Brazos	Jackson
Butler of Karnes	James
Caldwell	Jefferson
Canon	Jones of Atascosa
Celaya	Jones of Wise
Clayton	Keefe
Collins	Latham
Colquitt	Lucas
Cooper	McFarland
Cowley	McKee
Crossley	McKinney
Davis	Moffett
Davisson	Morse
of Eastland	Newton
Dickison	Nicholson
Dunagan	Olsen
Dunlap of Hays	Padgett
Dunlap of Kleberg	Payne
Duvall	Pope
Dwyer	Reed of Bowie
England	Riddle
Fisher	Roark
Good	Roberts
Hankamer	Rogers
Hardin	Russell
Harris of Archer	Settle
Harris of Dallas	Smith
Hartzog	Spears
Head	Stanfield

Steward	Walker
Stinson	Wells
Stovall	Westfall
Tennyson	Wood of Harrison
Thornton	Wood of Montague
Tillery	Youngblood
Waggoner	

Present—Not Voting

Alsup	Lanning
Ash	Lindsey
Bergman	Luker
Cagle	Palmer
Daniel	Reader
Davison of Fisher	Reed of Dallas
Fain	Rutta
Glass	Tarwater
Herzik	Venable
Jones of Falls	Worley
Jones of Runnels	

Absent

Adkins	Knetsch
Beck	Lange
Colson	Leath
Craddock	Leonard
Ford	Lotief
Fuchs	Morrison
Gibson	Petsch
Graves	Roane
Hunt	Scarborough
Jones of Shelby	Shofner
King	Young

Absent—Excused

Calvert	McCalla
Hill	McConnell
Lemens	Moore
Mauritz	

Question then recurring on the motion to concur in the Senate amendments, yeas and nays were demanded.

The motion prevailed by the following vote:

Yeas—91

Adamson	Crossley
Aikin	Davis
Alexander	Davison of Fisher
Alsup	Davisson
Bourne	of Eastland
Bradford	Dickison
Broyles	Dunagan
Burton	Dunlap of Hays
Butler of Brazos	Dunlap of Kleberg
Butler of Karnes	Duvall
Caldwell	Dwyer
Canon	England
Celaya	Fisher
Clayton	Fitzwater
Collins	Ford
Colquitt	Frazer
Cooper	Good
Cowley	Gray

Hankamer	Olsen
Hardin	Padgett
Harris of Archer	Payne
Harris of Dallas	Pope
Hartzog	Reader
Head	Reed of Bowie
Hodges	Riddle
Hofheinz	Roach of Angelina
Hoskins	Roark
Howard	Roberts
Hunter	Rogers
Hyder	Russell
Jackson	Settle
James	Smith
Jefferson	Spears
Jones of Atascosa	Stanfield
Jones of Wise	Steward
Keefe	Stinson
Lanning	Stovall
Latham	Thornton
Lucas	Tillery
McFarland	Venable
McKee	Waggoner
McKinney	Walker
Moffett	Wells
Morse	Westfall
Newton	Wood of Harrison
Nicholson	Youngblood

Nays—8

Bradbury	Huddleston
Farmer	Morris
Fox	Patterson
Greathouse	Quinn

Present—Not Voting

Ash	Jones of Runnels
Bergman	Lindsey
Cagle	Reed of Dallas
Daniel	Roach of Hunt
Fain	Rutta
Glass	Wood of Montague
Jones of Falls	Worley

Absent

Adkins	Lange
Atchison	Leath
Beck	Leonard
Colson	Lotief
Craddock	Luker
Fuchs	Morrison
Gibson	Palmer
Graves	Petsch
Herzik	Roane
Holland	Scarborough
Hunt	Shofner
Jones of Shelby	Tarwater
King	Tennyson
Knetsch	Young

Absent—Excused

Calvert	McCalla
Hill	McConnell
Lemens	Moore
Mauritz	

COMMITTEES APPOINTED

The Speaker announced the appointment of the following committee, pursuant to resolution heretofore adopted, in regard to disbursement of funds obtained from racing meets: Messrs. McKee, Canon, and Lemens.

The Speaker announced the appointment of the following committee, pursuant to resolution heretofore adopted, providing for certain questionnaire of members of the House: Messrs. Russell, James, Frazer, Moffett, and Lindsey.

BILL SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof and its caption had been read, the following enrolled bill:

H. B. No. 416, "An Act to establish a system of public roads and bridges for all counties in this State having a population of more than one hundred and sixty thousand (160,000) inhabitants and less than two hundred and thirty thousand (230,000) inhabitants, according to the last preceding Federal Census, wherein is situated an incorporated city having a population in excess of one hundred thousand (100,000) inhabitants, according to the last preceding Federal Census, and to empower the commissioners courts thereof to provide rules and regulations therefor, etc., and declaring an emergency."

HOUSE BILL NO. 417 ON SECOND READING

The Speaker laid before the House, by unanimous consent, on its second reading and passage to engrossment,

H. B. No. 417, A bill to be entitled "An Act making appropriations to pay salaries to judges, and for the support and maintenance of the judicial department of the State Government for the two (2) year period beginning September 1, 1935, and ending August 31, 1937; requiring certain fees paid to clerks or officers of all appellate courts to be deposited monthly in the State Treasury, and that certain fees be retained by said clerks or officers as additional compensation for their services, etc., and declaring an emergency."

The bill was read second time.

(Mr. Latham in the Chair.)

Mr. Leonard offered the following committee amendment to the bill:

Amend House Bill No. 417, page 8, in section referring to deputy clerk and secretary to Board of Legal Examiners by striking out the figures "\$2,200" and insert in lieu thereof the figures "\$2,400."

LEONARD,
McKEE.

The amendment was adopted.

Mr. Beck offered the following amendment to the bill:

Amend House Bill No. 417 by adding the sum of "\$500" in the first column for additional books for library of the Court of Civil Appeals, Sixth Judicial District of Texas.

The amendment was adopted.

Mr. Morrison offered the following amendment to the bill:

Amend House Bill No. 417 by striking out the figures "\$15,480" wherever they appear in all appellate court appropriations and insert in lieu thereof "\$15,000."

MORRISON,
BROYLES.

The amendment was adopted.

House Bill No. 417 was then passed to engrossment.

HOUSE BILL NO. 417 ON THIRD READING

Mr. Leonard moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 417 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—112

Adamson	Colquitt
Aikin	Colson
Alexander	Cooper
Alsup	Cowley
Atchison	Craddock
Beck	Daniel
Bergman	Davis
Bourne	Davison of Fisher
Bradbury	Dickison
Bradford	Dunagan
Broyles	Dunlap of Hays
Burton	Dunlap of Kleberg
Butler of Brazos	England
Butler of Karnes	Fain
Caldwell	Farmer
Canon	Fisher
Clayton	Fitzwater
Collins	Ford

Fox	Morris
Frazer	Morrison
Fuchs	Morse
Glass	Newton
Good	Nicholson
Graves	Olsen
Gray	Padgett
Greathouse	Palmer
Hankamer	Patterson
Hardin	Quinn
Harris of Archer	Reed of Bowie
Harris of Dallas	Reed of Dallas
Head	Riddle
Herzik	Roach of Angelina
Hodges	Roach of Hunt
Hofheinz	Roark
Holland	Roberts
Hoskins	Russell
Howard	Rutta
Huddleston	Settle
Hunt	Shofner
Hunter	Smith
Hyder	Stanfield
Jones of Falls	Steward
Jones of Runnels	Stinson
Jones of Wise	Stovall
Keefe	Tennyson
King	Thornton
Lanning	Tillery
Leath	Venable
Leonard	Waggoner
Lotief	Walker
Lucas	Wells
Luker	Westfall
McFarland	Wood of Harrison
McKee	Worley
McKinney	Young
Moffett	Youngblood

Nays—2

Cagle Pope

Present—Not Voting

Latham

Absent

Adkins	Jones of Shelby
Ash	Knetsch
Celaya	Lange
Crossley	Lindsey
Davisson	Payne
of Eastland	Petsch
Duvall	Reader
Dwyer	Roane
Gibson	Rogers
Hartzog	Scarborough
Jackson	Spears
James	Tarwater
Jefferson	Wood of Montague
Jones of Atascosa	

Absent—Excused

Calvert	McCalla
Hill	McConnell
Lemens	Moore
Mauritz	

The Chair then laid House Bill No. 417 before the House on its third reading and final passage.

The bill was read third time.

Mr. Lindsey offered the following amendment to the bill:

Amend House Bill No. 417, line 21, page 11, by striking out the figures "\$4,000" and insert "\$3,600," and change totals to conform.

The amendment was lost.

Mr. Leonard offered the following amendment to the bill:

Amend House Bill No. 417 so as to change the totals to conform to the changes in the bill.

The amendment was adopted.

House Bill No. 417 was then passed.

ADJOURNMENT

Mr. Davison of Fisher moved that the House adjourn until 10 o'clock a. m., tomorrow.

Mr. Fain moved that the House recess to 10 o'clock a. m., tomorrow.

Question first recurring on the motion by Mr. Davison of Fisher, it prevailed, and the House, accordingly, at 12:20 o'clock p. m., adjourned until 10 o'clock a. m., tomorrow.

APPENDIX

STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills and resolutions, as follows:

Agriculture: House Concurrent Resolution No. 27.

Commerce and Manufactures: House Bill No. 282.

Conservation and Reclamation: House Bills Nos. 8 and 178.

Constitutional Amendments: House Joint Resolution No. 21.

Criminal Jurisprudence: House Bills Nos. 121 and 125.

Education: Senate Bill No. 118, and House Bill No. 228.

Judiciary: House Bills Nos. 170, 174, and 456.

Judicial Districts: House Bill No. 469.

Labor: House Bill No. 268.

The following committees have filed adverse reports on bills, as follows:

Conservation and Reclamation: House Bill No. 7.

Judiciary: House Bills Nos. 192, 260, and 395.

The following committees have filed adverse reports, with minority favorable reports, on bills, as follows:

Criminal Jurisprudence: House Bill No. 124.

Public Lands and Buildings: House Bill No. 20.

Revenue and Taxation: House Bill No. 163.

REPORT OF THE COMMITTEE ON ENGROSSED BILLS

Committee Room,
Austin, Texas, February 11, 1935.
Hon. Coke Stevenson, Speaker of the
House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 403, A bill to be entitled "An Act amending Article 6049c, Sections 10 and 11 of the Revised Civil Statutes of 1925, as amended by the Acts of 1931, Forty-second Legislature, First Called Session, page 46, Chapter 26, relating to injunctions and/or restraining orders to be issued against the Railroad Commission of Texas; repealing all laws or parts of laws in conflict, and declaring an emergency,"

Has carefully compared same, and finds it correctly engrossed.

HODGES, Chairman.

REPORT OF THE COMMITTEE ON ENROLLED BILLS

Committee Room,
Austin, Texas, February 11, 1935.
Hon. Coke Stevenson, Speaker of the
House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 416, "An Act to establish a system of public roads and bridges for all counties in this State having a population of more than one hundred and sixty thousand (160,000) inhabitants and less than two hundred and thirty thousand (230,000) inhabitants, according to the last preceding Federal Census, wherein is situated an incorporated city having a population in excess of one hundred thousand (100,000) inhabitants, according to the last preceding Federal Census, and to empower the commissioners courts thereof, to provide rules and regulations therefor; providing for the appointment of a county engi-

neer by the commissioners court, and fixing a maximum salary therefor, and providing also for such engineer's bond; providing for the classification of roads and the keeping of records thereof; providing for certain duties for the county engineer; providing for convict camps; providing for county engineer to employ necessary help; providing for a master plan of roads; providing for public notice thereon, and for its adoption; providing for the county auditor to compute the pay for all employees; providing for employment of counsel; and giving the court power of eminent domain; providing for abolishing of road taxes by labor; providing for a second-class road and bridge fund; providing penalty for excess of road and bridge taxes in excess of maximum rate fixed by law; requiring county convicts to work on public roads; authorizing and regulating the issuance and sale of bonds under this Act, and for the levy of taxes for such purpose, and to regulate the expenditure arising from the sale of such bonds and from the levy of taxes for road and bridge purpose; providing for the purchase of tools and machinery out of the second-class road and bridge fund; providing for the transfer of certain funds; prohibiting any member of the commissioners court or county officer from being financially interested in a contract for road work or materials therefor; and providing a penalty therefor, and making disposition of any such fines; defining roads and highways; and providing for an annual budget on a monthly basis for the counties by the commissioners court and funds therefor; providing for salary of the commissioners for the performance of their duties under the terms of this Act; repealing all laws or parts of laws in conflict with the provisions thereof; providing for issuance of bonds for construction of permanent roads and bridges and submission of the question to the property owning qualified voters of the county; making this Act a public Act; providing this Act shall be cumulative of all General Laws on this subject, but where conflicting this Act shall control in said county; providing a saving clause, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ATCHISON, Chairman.